

Questions during the Demonstrations

1. Who will receive logins and passwords?

ANSWER: Attorney's admitted into the U.S. District Court will receive logins and passwords. The court has not yet decided if Pro Se Filers will be able to electronically file.

2. What is needed to convert a file to portable document format (PDF)?

ANSWER: There are a number of software programs that can convert word processing documents to PDF. Adobe Acrobat, pdf995, Fineprint pdfFactory, Jaws PDF creator, and higher versions of MS Word and Corel WordPerfect to name just a few. The court does not care what software is used to convert the file as long as it is legible.

3. When will ECF begin?

ANSWER The court will begin offering electronic case filing to attorneys in Spring 2004.

4. Will there be an on-line tool available to learn the CM/ECF program?

ANSWER: The court will post web-based training modules early next year on the CM/ECF website.

5. Will Pro Se filers and Pro Se prisoners be able to electronically file documents?

ANSWER: Pro Se prisoners will not be able to file electronically. The decision for Pro Se non-prisoners has not yet been made.

6. Will customers still be able to file and serve in the paper format?

ANSWER: After electronic case filing has been offered to the external customers, the court will choose a date for which all case filings will be made using the electronic case filing system unless the party can show just cause as to why they are unable to file electronically. Paper will still be accepted with parties that cannot file electronically, in sealed cases (until this feature is enhanced) and voluminous exhibits.

7. Will the use of the electronic e-mail notice constitute service for government agencies?

ANSWER: Yes. The U.S. Attorney's, U.S. Marshals, U.S. Public Defender's Office and other government agencies will receive e-mail notification instead of faxed and mailed copies of documents. Another part to the questions is if the Social Security Office will accept the filing as service. The court has not yet decided if Social Security cases will be added to ECF.

8. Is there a charge to used the hyperlink that is provided in the e-mail notification?

ANSWER The first visit to the hyperlink will not result in a charge. All additional visits will result in a PACER charge. (\$.07 per page with a \$2.10 max)

9. Will attorneys need to obtain a PACER account before using CM/ECF?

ANSWER: Yes. Attorneys should obtain a PACER account by visiting the PACER website at: <http://pacer.psc.uscourts.gov/register.html>

10. Will it be mandatory for attorneys to use ECF?

ANSWER: Electronic Case Filing will the new standard way of doing business with the District Court of Minnesota next year. Unless parties can show cause as to why they cannot file electronically, they will expected to file documents with the court using the electronic case filing system.

11. Should attorneys think about purchasing scanners?

ANSWER: Possibly. Most documents can and should be converted from a word processing application to PDF without the use of a scanner. Scanners can be used for non-electronic exhibits and documents that require third party signatures (see future rules on this topic.)

12. Will the court set a standard for electronic documents being legible and readable?

ANSWER: The court will set standards for documents being legible and will verify they are being received this manner during the quality control process.

13. How are initiating documents and fees handled?

ANSWER: Currently case opening procedures are not built in components in the electronic case filing software. The court will be requesting filers e-mail PDF versions of documents such as the civil coversheet and complaint to a general e-mail address. The

court will add the PDF versions of the document to the ECF system and open the case for the filer.

The court is currently looking into purchasing credit card terminals. Once this has been researched and implemented court staff can take a credit card number to open new cases. Otherwise the court will still accept checks sent by courier and mailed to the court.

14. How will ECF affect the filing of dispositive motions?

ANSWER: The Court has not yet determined if or how dispositive motions will be handled using ECF. Look for more information on this topic in the future.

15. What type of software is needed to run CM/ECF?

ANSWER: CM/ECF is a web-based system and only requires that participants access the site by using a compatible web-browser such as Netscape Navigator or Internet Explorer.

15. How are sealed cases handled?

ANSWER: With the current software available to the courts, sealed cases and sealed documents are not included in the electronic record other than a notation made that a sealed entry has been made. With the upcoming version of the software, this feature has been enhanced and will be made available for use.

16. Should law firms use MS Word or Corel WordPerfect?

ANSWER: Either word processing option is fine. When posting information to ECF the information must first be converted to PDF so the original software application is not pertinent. When sending chambers proposed orders in the proposed new rules, the court will be asking attorneys to send chambers a document in Word or Word Perfect format depending on the preference of the chambers.

17. Can attorneys use the encryption tools or password protection available with Adobe?

ANSWER No. PDF files cannot be posted to ECF if they have any of the encryption or passwords added to them.

For further information and updated on CM/ECF in the District of Minnesota, please visit www.mnd.uscourts.gov